

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/720,937	AUGUST, HENRY	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lars A. Olson	3617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final amendment received from the applicant on November 18, 2005.
2. ☒ The allowed claim(s) is/are 1,4-27 and 29-63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### Reasons for Allowance

1. An after-final amendment was received from the applicant on November 18, 2005.
2. Claims 2, 3 and 28 have been canceled.
3. Claims 1, 4-27 and 29-63 are allowed.
4. The following is an examiner's statement of reasons for allowance. The submersible glider as claimed is not shown or suggested in the prior art because of the use of a submersible glider that is comprised of an inflatable, wave-piercing hull having a bow and a stern, a generally planar lifting surface disposed toward said stern, and a pair of generally planar stabilizer surfaces that extend generally to said lifting surface from ends of said lifting surface. The prior art also does not show or suggest the use of a marine transport system that is comprised of a submersible glider with a step-wise glider range, and a surfaced glider with a towing mechanism that is configured to reel in and out from said surfaced glider a towline that is connectable to said submersible glider.
5. The prior art as disclosed by Pickett et al. (US 4,463,701) shows the use of a submersible glider that is comprised of a rigid cylindrical hull made from aluminum or plastic, said hull having a bow and a stern, first and second planar lifting surfaces that are disposed on a central portion of said hull and extend toward said stern, and a pair of planar stabilizer surfaces that are connected to ends of said first and second lifting surfaces. Said submersible glider is disclosed as being provided with a propulsion

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system in the form of a powered tow vessel that is connected to said submersible glider by a tow cable. Newly cited reference by Woodall et al. (US 6,655,313) discloses a submersible vehicle with an inflatable hull section located between a rigid bow section and a rigid stern section with a propulsion system. Newly cited reference by Geery (US 6,328,622) discloses a submersible water toy with a rigid main body having a pair of wing surfaces that allow said toy to glide in water in a forward and upward direction. However, none of the prior art cited shows or suggests the use of a submersible glider that is comprised of an inflatable, wave-piercing hull having a bow and a stern, a generally planar lifting surface disposed toward said stern, and a pair of generally planar stabilizer surfaces that extend generally to said lifting surface from ends of said lifting surface. The prior art also does not show or suggest the use of a marine transport system that is comprised of a submersible glider with a step-wise glider range, and a surfaced glider with a towing mechanism that is configured to reel in and out from said surfaced glider a towline that is connectable to said submersible glider.

### ***Conclusion***

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

lo

November 28, 2005

**LARS A. OLSON**  
**PRIMARY EXAMINER**

A handwritten signature in cursive script that reads "Lars Olson".

11/28/05